

## CALIFORNIA LEGISLATURE

2017–18 REGULAR SESSION

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# SENATE DAILY JOURNAL

ONE HUNDRED NINETY-FOURTH LEGISLATIVE DAY

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## IN SENATE

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Senate Chamber, Sacramento  
Tuesday, May 8, 2018

The Senate met at 9 a.m.

Hon. Jerry Hill, of the 13th District, presiding.

Secretary Daniel Alvarez at the Desk.

Assistant Secretary Zachary L. Twilla reading.

### ROLL CALL

The roll was called and the following Senators answered to their names:

Allen, Anderson, Atkins, Bates, Beall, Bradford, Dodd, Fuller, Gaines, Galgiani, Glazer, Hernandez, Hertzberg, Hill, Hueso, Jackson, Lara, Leyva, McGuire, Mitchell, Monning, Moorlach, Morrell, Newman, Nguyen, Nielsen, Pan, Portantino, Roth, Skinner, Stern, Stone, Vidak, Wieckowski, Wiener, and Wilk—36.

Quorum present.

*(NOTE: Senators Berryhill and Cannella will be excused this day on legislative business. Senator De León will be excused this day on personal business.)*



**MESSAGES FROM THE ASSEMBLY**

Assembly Chamber, May 7, 2018

Mr. President: I am directed to inform your honorable body that the Assembly on this day adopted:

ACR 180      ACR 190      ACR 209      ACR 218

E. DOTSON WILSON, Chief Clerk of the Assembly

**FIRST READING OF ASSEMBLY MEASURES**

The following measures were read and referred to the Committee on Rules:

**Assembly Concurrent Resolution 180**—Relative to Maternal Mental Health Awareness Month.

**Assembly Concurrent Resolution 190**—Relative to Blue Star Mothers of America Month.

**Assembly Concurrent Resolution 209**—Relative to Compost Awareness Week.

**Assembly Concurrent Resolution 218**—Relative to Lyme Disease Awareness Month.

**CONSIDERATION OF DAILY FILE****SECOND READING OF SENATE BILLS**

**Senate Bill 1453**—An act to amend Section 338 of the Code of Civil Procedure, relating to civil actions.

Bill read second time.

The amendments proposed by the Committee on Judiciary were read and adopted and the measure ordered printed, engrossed, and re-referred to the Committee on Appropriations.

**Senate Bill 1269**—An act to amend Section 28160 of the Vehicle Code, relating to schoolbus safety, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

The amendments proposed by the Committee on Transportation and Housing were read and adopted and the measure ordered printed, engrossed, and to third reading.

**Senate Bill 818**—An act to amend Section 2924 of, to amend and repeal Sections 2923.4, 2923.5, 2923.6, 2923.7, 2924.12, 2924.15, and 2924.17 of, to add Sections 2923.55, 2924.9, 2924.10, 2924.18, and 2924.19 to, to repeal Section 2920.5 of, and to repeal and add Section 2924.11 of, the Civil Code, relating to mortgages.

Bill read second time and ordered to third reading.

**Senate Bill 981**—An act to amend Section 17577.3 of the Business and Professions Code, relating to business.

Bill read second time and ordered to third reading.



**Senate Bill 1085**—An act to add Section 3558.8 to the Government Code, relating to public employment.

Bill read second time and ordered to third reading.

**Senate Bill 1133**—An act to add Section 13249 to the Water Code, relating to water quality, and making an appropriation therefor.

Bill read second time and ordered to third reading.

**Senate Bill 1136**—An act to amend Section 380 of the Public Utilities Code, relating to electricity.

Bill read second time and ordered to third reading.

**Senate Bill 1137**—An act to add Section 714 to the Military and Veterans Code, relating to veterans.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill 1160**—An act to amend Section 602 of the Penal Code, relating to trespass.

Bill read second time and ordered to third reading.

**Senate Bill 1166**—An act to add Section 20831.3 to the Government Code, relating to public employees' retirement.

Bill read second time and ordered to third reading.

**Senate Bill 1205**—An act to add Section 592 to the Public Utilities Code, relating to public utilities.

Bill read second time and ordered to third reading.

**Senate Bill 1304**—An act to add Section 90.2 to the Military and Veterans Code, relating to veterans, and making an appropriation therefor.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill 1313**—An act to amend Sections 19812 and 19814 of the Business and Professions Code, relating to the California Gambling Control Commission.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill 1333**—An act to amend Sections 65356, 65700, 65803, and 65869.5 of the Government Code, relating to land use.

Bill read second time and ordered to third reading.

**Senate Bill 1412**—An act to amend Section 432.7 of the Labor Code, relating to employment.

Bill read second time, ordered engrossed, and to third reading.

**Senate Bill 1427**—An act to amend Sections 12927, 12955, 12955.8, 12956.1, and 12956.2 of the Government Code, relating to discrimination.

Bill read second time and ordered to third reading.



**Senate Bill 970**—An act to add Section 12950.3 to the Government Code, relating to employment.

Bill read second time and ordered to consent calendar.

**Senate Bill 1022**—An act to amend Sections 20230, 20570, and 20571 of the Government Code, relating to public employees' retirement.

Bill read second time and ordered to consent calendar.

**Senate Bill 1051**—An act to amend Section 19821 of the Business and Professions Code, relating to gambling.

Bill read second time, ordered engrossed, and to consent calendar.

**Senate Bill 1078**—An act to amend Section 798.29 of the Civil Code, to amend Sections 53398.52, 65584.01, and 65588 of the Government Code, and to amend Sections 18150, 18151, 18152, 18153, 18253.5, 51005, and 115927 of the Health and Safety Code, relating to housing.

Bill read second time and ordered to consent calendar.

**Senate Bill 1079**—An act to amend Section 4799.05 of, and to add Section 705.5 to, the Public Resources Code, relating to forest resources, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to consent calendar.

**Senate Bill 1163**—An act to amend Section 27521 of the Government Code, relating to autopsies.

Bill read second time and ordered to consent calendar.

**Senate Bill 1207**—An act to amend Sections 100000, 100002, 100004, 100008, 100012, 100014, 100016, 100032, 100034, 100046, and 100049 of the Government Code, to amend Section 1088.9 of the Unemployment Insurance Code, and to amend Section 12302.2 of the Welfare and Institutions Code, relating to retirement savings plans.

Bill read second time and ordered to consent calendar.

**Senate Bill 1401**—An act to amend Section 71360 of the Public Resources Code, relating to climate change.

Bill read second time, ordered engrossed, and to consent calendar.

**Senate Bill 1452**—An act to add Section 14635 to the Government Code, relating to state government.

Bill read second time and ordered to consent calendar.



**Senate Bill 1498**—An act to amend Sections 12463.1, 17551, 34090, 34093, 34852, 34855, 34857, 36522, 36802, 37107, 37547, 37607, 37683, 38400, 38406, 38741, 38780, 38782, 39501, 39560, 39564, 39573, 39574, 39901, 40537, 40538, 40539, 40603, 40604, 40804, 40806, 40812, 40813, 40814, 41204, 41205, 41602, 41603, 41605, 41608, 41609, 41610, 41611, 41803.7, 43625, 43626, 53343.2, 53398.60, and 53398.75 of the Government Code, to amend Section 469 of the Revenue and Taxation Code, and to repeal Section 36626 of the Streets and Highways Code, relating to local government.

Bill read second time and ordered to consent calendar.

**Senate Bill 1503**—An act to amend Sections 23800 and 23803 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time, ordered engrossed, and to consent calendar.

**Senate Bill 1504**—An act to amend Section 19218 of the Food and Agricultural Code, to amend Sections 6276.14, 6276.34, 19995.4, 20677.5, 20677.6, 20677.7, 20677.71, 20677.8, 20677.9, 20677.91, 20677.95, 20681, and 22877 of the Government Code, to amend Section 12693.63 of the Insurance Code, to amend Section 13600 of the Penal Code, and to amend Section 14021.31 of the Welfare and Institutions Code, relating to state employment.

Bill read second time, ordered engrossed, and to consent calendar.

**Senate Bill 1505**—An act to amend Section 14827.3 of the Government Code, and to amend Sections 6611 and 10306 of the Public Contract Code, relating to public contracts.

Bill read second time, ordered engrossed, and to consent calendar.

**Senate Bill 1506**—An act to amend Sections 3365, 3691, 3691.1, 3701, and 3704.7 of the Revenue and Taxation Code, relating to taxation.

Bill read second time, ordered engrossed, and to consent calendar.

**Senate Bill 1509**—An act to amend Section 5703 of the Government Code, relating to state finance.

Bill read second time, ordered engrossed, and to consent calendar.

**Senate Concurrent Resolution 91**—Relative to California Law Revision Commission.

Resolution read second time and ordered to third reading.

**Senate Bill 1250**—An act to amend Section 2026 of the Elections Code, relating to elections.

Bill read second time and ordered to third reading.



**Senate Bill 965**—An act to amend Section 64691.7 of, and to add and repeal Chapter 2.5 (commencing with Section 65001) of Part 2 of Division 22 of, the Food and Agricultural Code, relating to food and agriculture, and making an appropriation therefor.

Bill read second time and ordered to third reading.

**Senate Bill 987**—An act to amend Section 12811 of the Vehicle Code, relating to vehicles.

Bill read second time and ordered to third reading.

**Senate Bill 1262**—An act to amend Sections 6700 and 6701 of the Public Contract Code, relating to public contracts.

Bill read second time and ordered to third reading.

**Senate Bill 1360**—An act to add Section 12804.16 to the Vehicle Code, relating to driver's licenses.

Bill read second time and ordered to third reading.

### SECOND READING OF ASSEMBLY BILLS

**Assembly Bill 427**—An act to add Part 6.8 (commencing with Section 15375) to Division 3 of Title 2 of the Government Code, relating to aerospace.

Bill read second time.

The amendments proposed by the Committee on Business, Professions and Economic Development were read and adopted and the measure ordered printed, and re-referred to the Committee on Judiciary.

**Assembly Bill 1527**—An act to amend Section 26040 of the Business and Professions Code, relating to cannabis, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

### REPORTS OF STANDING COMMITTEES

#### Committee on Rules

Senate Chamber, May 8, 2018

Mr. President: The Committee on Rules has examined:

SB 998                      SB 1024                      SB 1335

And reports the same correctly engrossed.

ATKINS, Chair

Senate Chamber, May 8, 2018

Mr. President: The Committee on Rules has examined:

SB 1051              SB 1137              SB 1304              SB 1313  
SB 1401              SB 1412              SB 1503              SB 1504  
SB 1505              SB 1506              SB 1509

And reports the same correctly engrossed.

ATKINS, Chair



**Committee on Public Safety**

Senate Chamber, May 8, 2018

Mr. President: The Chair of the Committee on Public Safety, to which was referred:

AB 900

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

SKINNER, Chair

**Second Reading of Bills—Author's Amendments**

**Assembly Bill 900**—An act to amend Sections 13957 and 13957.5 of the Government Code, relating to crime victims, and making an appropriation therefor.

Bill read second time.

The amendments were read and adopted and the measure ordered printed, and re-referred to the committee.

**Committee on Governance and Finance**

Date of Hearing, May 2, 2018

Mr. President: The Committee on Governance and Finance, to which was referred:

SB 1214

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

MCGUIRE, Chair

Above bill ordered to second reading.

**Committee on Appropriations**

Senate Chamber, May 8, 2018

Mr. President: The Chair of the Committee on Appropriations, to which were referred:

SB 1104

SB 1109

SB 1375

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

LARA, Chair



**Second Reading of Bills—Author's Amendments**

**Senate Bill 1104**—An act to add Section 49381 to the Education Code, relating to pupil safety.

Bill read second time.

**Senate Bill 1109**—An act to amend Sections 1645, 2190.5, 2191, 2196.2, 2454.5, 2746.51, 2836.1, 3059, and 3502.1 of, and to add Section 4076.7 to, the Business and Professions Code, to add Section 49476 to the Education Code, and to add Sections 11158.1 and 124236 to the Health and Safety Code, relating to controlled substances.

Bill read second time.

**Senate Bill 1375**—An act to amend Sections 1357, 1357.500, 1357.503, 1357.512, 1357.600, and 1399.802 of, and to add Section 1399.846 to, the Health and Safety Code, and to amend Sections 10700, 10753, 10753.05, 10753.14, and 10755 of, and to add Section 10965.02 to, the Insurance Code, relating to health insurance.

Bill read second time.

The amendments were read and adopted and the measures ordered printed, engrossed, and re-referred to the committee.

Senate Chamber, May 8, 2018

Mr. President: The Chair of the Committee on Appropriations, to which was referred:

SCR 112

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

LARA, Chair

**Second Reading of Bills—Author's Amendments**

**Senate Concurrent Resolution 112**—Relative to Cesar Chavez Memorial Highway.

Resolution read second time.

The amendments were read and adopted and the measure ordered printed, engrossed, and re-referred to the committee.

**Committee on Elections and Constitutional Amendments**

Senate Chamber, May 8, 2018

Mr. President: The Chair of the Committee on Elections and Constitutional Amendments, to which was referred:

SCA 18

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

STERN, Chair





**Second Reading of Bills—Author's Amendments**

**Senate Constitutional Amendment 18**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 15 of Article II thereof, and by amending Section 2 of Article IV thereof, relating to elections.

Resolution read second time.

The amendments were read and adopted and the measure ordered printed, engrossed, and re-referred to the committee.

**Committee on Public Safety**

Senate Chamber, May 8, 2018

Mr. President: The Chair of the Committee on Public Safety, to which was referred:

AB 2550

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

SKINNER, Chair

**Second Reading of Bills—Author's Amendments**

**Assembly Bill 2550**—An act to add Section 2644 to the Penal Code, relating to prisons.

Bill read second time.

The amendments were read and adopted and the measure ordered printed, and re-referred to the committee.

**Committee on Transportation and Housing**

Senate Chamber, May 8, 2018

Mr. President: The Chair of the Committee on Transportation and Housing, to which was referred:

AB 162

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

BEALL, Chair

**Second Reading of Bills—Author's Amendments**

**Assembly Bill 162**—An act to add Section 21655.4 to the Vehicle Code, relating to transportation.

Bill read second time.

The amendments were read and adopted and the measure ordered printed, and re-referred to the committee.



**Committee on Appropriations**

Senate Chamber, May 8, 2018

Mr. President: The Chair of the Committee on Appropriations, to which was referred:

SB 1390

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

LARA, Chair

**Second Reading of Bills—Author's Amendments**

**Senate Bill 1390**—An act to amend Section 1808.4 of the Vehicle Code, relating to the Department of Motor Vehicles.

Bill read second time.

The amendments were read and adopted and the measure ordered printed, engrossed, and re-referred to the committee.

**Committee on Transportation and Housing**

Senate Chamber, May 8, 2018

Mr. President: The Chair of the Committee on Transportation and Housing, to which was referred:

AB 382

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

BEALL, Chair

**Second Reading of Bills—Author's Amendments**

**Assembly Bill 382**—An act to amend Section 8352.6 of the Revenue and Taxation Code, relating to fuel taxes.

Bill read second time.

The amendments were read and adopted and the measure ordered printed, and re-referred to the committee.

**Committee on Governance and Finance**

Date of Hearing, May 2, 2018

Mr. President: The Committee on Governance and Finance, to which was referred:

SB 1056

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

MCGUIRE, Chair

Above bill ordered to second reading.



**MOTIONS, RESOLUTIONS AND NOTICES  
RE-REFERENCE TO COMMITTEE  
PURSUANT TO JOINT RULE 10.5**

Pursuant to Joint Rule 10.5, the following measure was re-referred to the Committee on Appropriations:

SB 961

**INTRODUCTION AND FIRST READING OF SENATE MEASURES**

The following measure was offered and referred to the Committee on Rules:

**Senate Concurrent Resolution 143:** By Senator Pan—Relative to smoking.

**LEAVES OF ABSENCE**

The following Senators were granted leaves of absence for the day on legislative business: Senators Berryhill and Cannella.

The following Senator was granted leave of absence for the day on personal business: Senator De León.

**ADJOURNMENT**

At 3:30 p.m., the Senate adjourned until 9 a.m., Wednesday, May 9, 2018.

NEVA MARIE PARKER, Minute Clerk

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